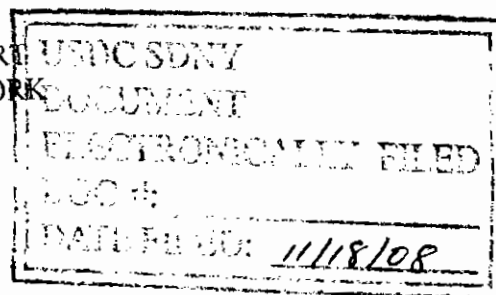


STANTON, J

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BARRY VAN RODEN and GERALD BERNTEN, on
behalf of themselves and all persons similarly situated,

Plaintiffs,

-against-

HENRI A. TERMEER, GENZYME CORPORATION,
CONSTANTINE E. ANAGNOSTOPOULOS,
DOUGLAS BERTHIAUME, HENRY BLAIR,
ROBERT CARPENTER, CHARLES COONEY,
VICTOR DZAU, CONNIE MACK III, and
MICHAEL S. WYZGA,

Defendants.

Case No. 03 Civ. 4014 (LLS)

~~PROPOSED~~ ORDER APPROVING DISTRIBUTION
OF SETTLEMENT PROCEEDS

LLS

Upon the application of Class Plaintiffs for an Order approving the distribution of the settlement funds and upon the Affidavits of Jonathan Sherman and Michael Rosenbaum submitted in support thereof, *and there being no opposition,* and the Court being fully apprised of the facts and circumstances hereof, NOW THEREFORE,

LLS

IT IS HEREBY ORDERED as follows:

1. Berdon shall distribute to each authorized claimant listed in Exhibit C of the Affidavit of Michael Rosenbaum their proportionate share of the settlement funds as set forth in the Stipulation of Settlement, after payment of the fees, costs and expenses of Berdon Claims Administration LLC, ("Berdon"), in administering the settlement, and the taxes and tax expenses on any income earned on the settlement funds.
2. The Court approves the payment of \$117,171.03 from the settlement funds to

Berdon for its fees and expenses in administering the settlement.

IT IS SO ORDERED.

Dated: November 17, 2008

Louis L. Stanton
THE HONORABLE LOUIS L. STANTON
UNITED STATES DISTRICT JUDGE